

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BARBARA EVANS,	:	CIVIL ACTION NO. 1:19-CV-497
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
CAPITAL BLUE CROSS,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 4th day of March, 2021, upon consideration of plaintiff Barbara Evans' motion (Doc. 35) for partial summary judgment, defendant Capital Blue Cross's motion (Doc. 39) for summary judgment, and Capital Blue Cross's motion (Doc. 49) to strike, and the parties' respective briefs in support of and opposition to said motions, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Evans' motion (Doc. 35) for partial summary judgment is DENIED.
2. Capital Blue Cross's motion (Doc. 39) is DENIED with respect to Evans' race discrimination claim based on disparate treatment and her disability discrimination claim as it relates to pre-March 2016 conduct. Capital Blue Cross's motion (Doc. 39) is GRANTED in all other respects.
3. Entry of judgment in accordance with paragraph 2 is DEFERRED pending trial on Evans' remaining claims.
4. Capital Blue Cross's motion (Doc. 49) to strike is DENIED.

5. The court will schedule a pretrial scheduling conference call by separate order.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania